

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MARK T. ANDREWS,  
Plaintiff,

v.

CALIFORNIA DEPARTMENT OF  
CONSUMER AFFAIRS, et al.,  
Defendants.

Case No. [17-cv-00252-WHO](#)

**ORDER ON PLAINTIFF MARK  
ANDREWS'S MOTION RE LATE-  
FILED OPPOSITIONS**

Re: Dkt. No. 31

Plaintiff Mark Andrews, proceeding pro se, filed a motion and requests that I accept his late-filed oppositions to the defendants' pending four motions to dismiss, which are set for hearing on August 23, 2017. *See* Mot. (Dkt. No. 31). In a declaration he has filed in support of the motion he explains that he is proceeding pro se because his attorney has become seriously ill and is no longer able to assist him in pursuing this case. *See* Andrews Decl. ¶ 1 (Dkt. No. 32). He explains that because he is unfamiliar with the law and the rules for filing and responding to motions, he was not aware of the deadlines for filing his oppositions in response to the pending motions to dismiss.<sup>1</sup> *Id.* Andrews also states that he will be seeking leave to file a Second Amended Complaint, though it is not clear if he intends to seek such leave before the pending motions to dismiss are heard. *See* Andrews Decl. at 2.

In order to ensure that Andrews has a full opportunity to be heard, and acknowledging that

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<sup>1</sup> The Court urges Andrews to obtain a copy of the Pro Se Handbook, available free of charge from the Court's website ([www.cand.uscourts.gov](http://www.cand.uscourts.gov)) or in the Clerk's Office on the 16th Floor, 450 Golden Gate Avenue, San Francisco, CA 94102. Andrews may seek assistance from the Legal Help Center, a free service of the Volunteer Legal Services Program, by calling (415) 782-8982 or signing up for an appointment on the 15th Floor of the Courthouse, Room 2796. At the Legal Help Center, Andrews may speak with an attorney who may be able to provide basic legal help, but not legal representation.

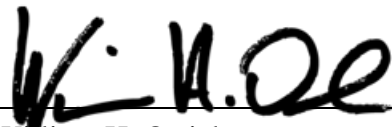
1 he is proceeding pro se, I accept and will consider his late-filed oppositions to the pending motions  
2 to dismiss. Defendants may file supplemental replies to these oppositions by August 1, 2017.

3 Although Andrews indicates that he intends to seek leave to file a Second Amended  
4 Complaint, because the defendants have raised a number of potentially dispositive legal arguments  
5 in their pending motions, resolution of which may narrow or eliminate some of Andrews's claims,  
6 the parties and the Court will benefit from proceeding with the current motions to dismiss. I will  
7 consider whether to grant Andrews leave to file a Second Amended Complaint after ruling on the  
8 defendants' motions to dismiss.

9 The hearing on the pending motions to dismiss remains set for **Wednesday, August 23,**  
10 **2017 at 2:00 p.m.** in Courtroom 2, 17th Floor, 450 Golden Gate Ave., San Francisco, California.

11 **IT IS SO ORDERED.**

12 Dated: July 25, 2017

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15 William H. Orrick  
16 United States District Judge  
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